

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re: HENRY L. WILTON

Case No. 10-36398-KRH

Debtor

Chapter 7

E. CARLTON WILTON,

Movant,

v.

Keith L. Phillips
Chapter 7 Trustee,

Respondent

AMENDED MOTION

E. Carlton Wilton ("Wilton"), for his Amended Motion for Relief from the Automatic Stay of 11 U.S.C. § 362 (a), alleges and states as follows:

1. On June 17, 2011, Wilton filed a Motion For Relief from the Automatic Stay with this Court (Doc. 156) regarding certain collateral consisting of membership interests in the Wilton Companies, LLC and the Wilton Companies, Inc. which were pledged to secure a promissory note held by Wilton.

2. Wilton incorporates his June 17, 2011 Motion For Relief from the Automatic Stay (Doc. 156) herein and amends it as stated herein.

3. On July 25, 2011, Debtor filed a motion with this Court to convert this case to a Chapter 7 proceeding and on August 16, 2011, this Court issued its order approving Debtor's motion to convert to a Chapter 7.

4. On August 16, 2011, Keith L. Phillips was appointed the Chapter 7 Trustee in this case.

5. Wilton amends his June 17, 2011 Motion for Relief from the Automatic Stay (Doc. 156) to add Keith L. Phillips, Chapter 7 Trustee as a party to such motion.

WHEREFORE, Wilton respectfully requests entry of an Order terminating the stay of § 362 (a) of the Bankruptcy Code so that Wilton may enforce his rights against the collateral under the Assignment Agreement and applicable state law, and use any appropriate legal means, including but not limited to the use of discovery under applicable non-bankruptcy law, to obtain documents and information from the Chapter 7 Trustee relating to the obligation. Wilton also requests such further relief as the Court deems appropriate.

E. CARLTON WILTON

By: /s/ Robert C. Smith

Counsel

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CERTIFICATION OF SERVICE

I certify that on August 23, 2011, a true copy of the foregoing Amended Motion for Relief from Stay was sent by first-class mail, postage prepaid, or by the Court's ECF system (as shown below), to all necessary parties, as follows:

Chapter 7 Trustee:

Keith L. Phillips
311 South Boulevard
Richmond, VA 23220
(804) 358-9400
keith@pf-law.com

Counsel for Debtor:

Lynn L. Tavenner
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Robert A. Canfield
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Twenty Largest Creditors:

Bank of America
P.O. Box 15026
Wilmington, De 19850-5026

First Capital Bank
4222 Cox road, Suite 200
Glen Allen, Va 23060

First Federal Savings Bank
4501 Cox Road
Glen Allen, Va 23060

Gateway Bank
Hampton Roads Bankshares
112 Corporate Drive
Elizabeth City, NC 27909

Hampton Roads Bankshares
12090 W. Broad Street
Henrico, Va 23222

L.A. & Karen Dougherty
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Regions Bank
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Birmingham, Al 35246

Village Bank
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Wachovia
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Wilmington, De 19886

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By: /s/ Robert C. Smith
Counsel